

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 7071 PCB SLC 08-03 State College System

SPONSOR(S): Policy & Budget Council; Schools & Learning Council and Pickens

TIED BILLS: IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Schools & Learning Council	14 Y, 0 N	Merritt/Eggers	Cobb
1) Policy & Budget Council	32 Y, 0 N, As CS	Martin	Hansen
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

CS/HB 7071 establishes the Florida College System for the purposes of maximizing open access for students; responding to needs for postsecondary academic education and career degree education; and to provide, in a cost-effective manner, the associate and baccalaureate degrees that will best meet community, regional, and statewide employment needs.

The bill establishes the Florida College System Task Force for the purpose of developing findings and issuing recommendations regarding the transition of community colleges to baccalaureate degree-granting colleges and the criteria for establishing and funding Florida state colleges.

The bill creates the Florida State College Pilot Project for the purposes of recommending to the Legislature: an approval process for transition of baccalaureate degree-granting community colleges to state colleges; criteria for transition of institutions in the Florida College System to state colleges; and a funding model for the Florida College System.

The bill changes the name of the following institutions: Broward Community College to Broward College, Daytona Beach Community College to Daytona Beach College, and Indian River Community College to Indian River College.

The Fiscal Year 2008-09 General Appropriations Act (HB 5001) approved by the House of Representatives on April 10, 2008, included an appropriation of \$375,000 in nonrecurring funds in line item 125 for the State College Pilot Project.

The effective date provided is July 1, 2008.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h7071b.PBC.doc

DATE: 4/10/2008

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide Limited Government – CS/HB 7071 creates the Florida College System Task Force and the Florida State College Pilot Project for the purposes of maximizing open access for students; responding to needs for postsecondary academic education and career degree education; and to provide, in a cost-effective manner, the associate and baccalaureate degrees that will best meet statewide employment needs.

B. EFFECT OF PROPOSED CHANGES:

Background

Community College Mission

Section 1004.65, F.S., defines the primary mission and responsibilities of community colleges as responding to community needs for postsecondary academic education and career degree education. Their mission and responsibilities include being responsible for: providing lower level undergraduate instruction and awarding associate degrees; preparing students directly for careers requiring less than baccalaureate degrees; providing student development services; promoting economic development within a college's respective district; and providing dual enrollment instruction. Providing upper level instruction and awarding baccalaureate degrees as specifically authorized by law is a separate and secondary role.

Community College Names

Section 1000.21, F.S., names Florida's 28 community colleges. Four community colleges that offer baccalaureate degrees have changed their name from community college to college. Currently, a community college would change its name and use the designation "college" by a vote of the community college's boards of trustees followed by a legislative change of the institution's name in statute. There is no review of community college name changes by the State Board of Education.

Options for Expanding Access to Baccalaureate Degrees on Community College Campuses

Florida has two primary options for increasing the provision of baccalaureate degrees on community college campuses:

- The community college may enter into a formal agreement with another postsecondary institution to provide undergraduate programs.
- The community college may submit a proposal to the State Board of Education (SBE) to deliver specified baccalaureate degree programs in the district to meet local workforce needs.

These methods are not mutually exclusive. Some community colleges offer baccalaureate degrees and also have partnerships with public or private 4-year institutions, and through these programs students may receive academic advising, financial aid assistance, and other student services.

Community colleges are authorized to offer baccalaureate degrees by two separate provisions of law. Under s. 1004.73, F.S., St. Petersburg College is authorized to offer baccalaureate degrees to address the state's workforce needs for professionals in elementary education, special education, high school science education, nursing, and applied science under some circumstances.

Under s. 1007.33, F.S., all community colleges may receive authorization to provide upper division coursework and award baccalaureate degrees. To receive this authorization, a community college must obtain approval from the SBE. Approval is contingent upon documented demand for the program, unmet need in the area, and the community college having the necessary facilities and academic resources to deliver the program.

At least 90 days prior to its submission to the SBE of a plan to offer a baccalaureate degree, a community college must notify the SBE of its intention to do so. The SBE must notify each state university and each regionally accredited private college and university chartered in Florida of the community college's intent. State universities have 60 days to submit an alternative plan to offer the baccalaureate degree on the community college's campus. In the absence of a state university proposal, the SBE must provide regionally accredited private colleges and universities 30 days to submit an alternative proposal to the SBE. The SBE must take the alternative proposals into account in making its decision to approve or deny a community college's proposal. Upon approval by the SBE, the college must seek the proper accreditation for the program. If the college wants to offer additional degree programs, it must go through the same evaluation cycle for each degree request.

Effect of Proposed Changes

Florida College System

The bill establishes the Florida College System for the purposes of maximizing open access for students; responding to community and regional needs for postsecondary academic education and career degree education; and to provide the associate and baccalaureate degrees that will best meet statewide employment needs.

The bill provides that the Florida College System will consist of institutions that are identified in s. 1000.21(3), F.S., that grant 2-year and 4-year academic degrees as provided by law. Section 1000.21(3), F.S., lists the 28 community colleges in Florida. Institutions within the Florida College System are not permitted to offer graduate degree programs. Programs and services must be provided in a cost effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

The bill allows an institution of the Florida College System to change its name and use the designation "college" if it has the approval of its local board of trustees and has been authorized to grant baccalaureate degrees pursuant to s. 1004.73 or s. 1007.33, F.S., or if it has received approval from the State Board of Education (SBE). To receive approval from the SBE to make this name change, the institution's local board of trustees must first approve and the institution must enter an agreement with the SBE to do the following:

- Maintain as the institution's primary mission responsibility for responding to community needs for postsecondary academic education and career degree education as prescribed in s. 1004.65(6), F.S.;

- Maintain an open-door admissions policy for associate-level degree programs and workforce education programs;
- Continue to provide outreach to underserved populations;
- Continue to provide remedial education; and,
- Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the SBE pursuant to s. 1007.23, F.S.

The bill prohibits institutions in the Florida College System from using the designation “university.”

The bill requires that each institution of the Florida College System be governed by a local board of trustees.

Florida College System Task Force

The bill establishes the Florida College System Task Force for the purpose of developing findings and issuing recommendations regarding the transition of community colleges to baccalaureate degree-granting colleges and the criteria for establishing and funding state colleges.

The bill establishes the Florida College System Task Force within the Division of Community Colleges of the Department of Education, being staffed with existing employees of that office. The Commissioner of Education will be a voting member and the chair of the task force, and will appoint 12 other members to the task force. The appointed members will include eight community college presidents, a state university president, a president of an institution eligible to participate in the William L. Boyd IV, Florida Resident Access Grant (FRAG), a president of an institution that is licensed by the Commission for Independent Education and grants baccalaureate degrees, and a member at large. The eight presidents of the community colleges may not include the presidents of the institutions named to participate in the State College Pilot Project, and must reflect the diversity of the 28 community colleges in regards to size, location, and whether or not the institution offers baccalaureate degrees. The members must be appointed on or before August 31, 2008, and the task force must hold its first meeting on or before September 15, 2008.

The bill requires the Florida College System Task Force to:

- Recommend a program approval process for new baccalaureate degrees to meet the employment needs of Florida, including approval as a baccalaureate-degree-granting community college and as a state college.
- Recommend a funding model that considers projected enrollment, adjustments for actual enrollment, program mix, and comparable support for similar programs across all institutions. The funding model must be designed so that associate and baccalaureate degrees can be delivered in a cost-effective manner.
- Identify the areas of need for increased baccalaureate degree production to meet regional and statewide workforce needs.
- Monitor implementation of the Florida State College Pilot Program.
- Recommend priorities and criteria for baccalaureate programs that can be offered without specific approval by the SBE.

In performing these duties, the task force will be given the authority to procure information and assistance from community colleges, state universities, the Commission for Independent Education, and the Agency for Workforce Innovation. Independent postsecondary educational institutions, representatives of the business community, and other stakeholders will be encouraged to provide the task force with information that will assist in its deliberations.

A report, including any comments regarding the final report of the State College Pilot Project and the recommendations required of the task force, must be submitted to the Governor, SBE, the President of the Senate, and the Speaker of the House of Representatives by March 2, 2009, and must include specific recommendations for legislative action during the 2009 Regular Session of the Legislature. Any recommendation from the task force to the Legislature requires approval by at least 9 members of the task force. The task force will be dissolved June 30, 2010, prior to which time it shall issue its final report with recommended detailed criteria for implementing the Florida College System as a permanent part of the state system of higher education.

Florida State College Pilot Project

The bill creates the Florida State College Pilot Project for the purposes of recommending to the Legislature:

- An approval process for transition of baccalaureate degree-granting community colleges to state colleges;
- Criteria for transition of institutions in the Florida College System to state colleges; and,
- A funding model for the Florida College System.

The institutions participating in the pilot project will collaborate with the Florida College System Task Force to make recommendations to the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives on specific issues that should be addressed in the transition of a community college to a state college. At a minimum, the following areas should be addressed during the course of the pilot project:

- The development of a program approval process to be followed by the SBE when considering proposals for new baccalaureate degree programs.
- The formulation of criteria for the transition of an institution from a community college to a state college.
- The development of a funding model for state colleges.

The pilot project recommendations, along with a status report on the transition of institutions participating in the pilot project, will be combined into a final report that will be submitted to the State Board of Education, the President of the Senate, the Speaker of the House of Representatives, and the Florida College System Task Force by January 1, 2009. A 3/4 vote of the institutions participating in the task force will be required for any recommendations that will be included in the report.

The bill provides that the pilot project begin with the 2008-2009 fiscal year and be conducted by St. Petersburg College, Okaloosa-Walton College, Miami Dade College, and Indian River College in collaboration with the Florida College System Task Force. The institutions participating in the pilot project must:

- Maintain as the institution's primary mission responsibility for responding to community needs for postsecondary academic education and career degree education.
- Maintain an open-door admissions policy for associate level degree programs and workforce education programs.
- Require, as a condition of admission to upper-division programs, successful completion of the college-level communication and mathematics skills examination (CLAST), unless the student has been awarded an associate of arts degree from a community college or state university.
- Participate in a longitudinal analysis of the relationship of the pass rate on the CLAST exam and the exemptions authorized by law. Each institution must administer the CLAST to each student admitted to an upper division program unless the student has previously achieved

the minimum scores that constitute successful completion of the examination. The institution will report annually the test score of each student tested and any exemption the student has been provided to the Task Force until it is dissolved, to the SBE once the Task Force is dissolved, and to the Office of Program Policy Analysis and Government.

- Continue to provide outreach to underserved populations.
- Continue to provide remedial education.
- Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions.
- Deliver the programs and services in providing associate and baccalaureate degrees in a cost-effective manner.

Institutions participating in the pilot project are prohibited from awarding graduate credit or graduate degrees and from participating in intercollegiate athletics beyond the 2-year level.

The bill provides that an institution participating in the State College Pilot Project may change its name and use the designation "state college" if it complies with the requirements of the pilot project and has the approval of its board of trustees. The bill prohibits an institution participating in the State College Pilot Project from using the designation "university."

Community College Name Changes

The bill amends s. 1000.21(3)(b), F.S., to provide for the name change of Broward Community College to Broward College.

The bill amends s. 1000.21(3)(e), F.S., to provide for the name change of Daytona Beach Community College to Daytona Beach College.

The bill amends s. 1000.21(3)(k), F.S., to provide for the name change of Indian River Community College to Indian River College.

C. SECTION DIRECTORY:

Section 1. Amends s. 1000.21, F.S., redesignating the names of certain community colleges as colleges.

Section 2. Creates s. 1001.60, F.S., establishing the Florida College System to be comprised of public postsecondary educational institutions meeting certain criteria; providing system purposes; providing limitations; authorizing the name change of an institution under certain conditions; providing for local boards of trustees and membership thereof.

Section 3. Amends s. 1004.35, F.S., conforming provisions.

Section 4. Creates s. 1004.87, F.S., establishing the Florida College System Task Force for the purpose of developing recommendations for the transition of community colleges to baccalaureate-degree-granting colleges and for establishing and funding state colleges; providing for membership and appointments; providing duties of the task force; requiring reporting; providing for dissolution of the task force.

Section 5. Creates s. 1004.875, F.S., creating the State College Pilot Project for the purpose of developing recommendations for the transition of community colleges to state colleges and for developing a funding model for the Florida College System; designating certain institutions to participate in the pilot project; providing duties of the institutions; requiring reporting.

Section 6. Provides an effective date of July 1, 2008.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See Fiscal Comments.

2. Expenditures:

See Fiscal Comments.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

D. FISCAL COMMENTS:

Currently, the state universities expend \$201 per credit hour for upper division instruction; however, the community colleges that offer baccalaureate programs are funded at \$139 per credit hour, resulting in a savings to the state of \$62 per credit hour.¹ Additionally, the tuition price in the 2007-08 academic year for community college baccalaureate programs is less than tuition at state universities: \$65.47 at community colleges compared to \$77.39 at state universities.²

¹ 2005-06 State University Expenditure Analysis (Report IV); 2007 Community College Fact Book (Table 23).

² Sections 1009.23 and 1009.24, Florida Statutes, as amended in Session C.

The Fiscal Year 2008-09 General Appropriations Act (HB 5001) approved by the House of Representatives on April 10, 2008, includes an appropriation of \$375,000 in nonrecurring funds in line item 125 for the State College Pilot Project.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require a city or county to expend funds or to take any action requiring the expenditure of funds. The bill does not appear to reduce the authority that municipalities or counties have to raise revenues in the aggregate. This bill does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

D. STATEMENT OF THE SPONSOR

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

CS/HB 7071 was adopted by the Policy & Budget Council on April 10, 2008 and differs from HB 7071 in the following ways:

- CS/HB 7071 prohibits use of the designation "university" by institutions in the Florida College System and institutions participating in the State College Pilot Project.
- CS/HB 7071 expands the membership of the Florida College System Task Force to 13 to include the president of an institution that is licensed by the Commission for Independent Education and grants baccalaureate degrees and increases the vote necessary to approve a Task Force recommendation from $\frac{3}{4}$ of the membership to 9 members.
- CS/HB 7071 includes Miami Dade College as a participant in the State College Pilot Project.
- CS/HB 7071 requires institutions participating in the pilot project to participate in a longitudinal analysis of the CLAST exam and associated exemptions. The analysis is designed to examine the

relationship between pass rates on the CLAST exams and the exemptions that are currently authorized in statute. The institutions must administer the CLAST exam to students admitted to upper division programs unless the student has already achieved a passing score on the exam. Each institution is required to annually report the results of the exam and information on any exemptions a student has been granted relating to the CLAST exam to the Task Force, to the State Board of Education on dissolution of the Task Force, and to OPPAGA to conduct the analysis.